

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5558 of 1998

With

SPECIAL CIVIL APPLICATION No. 5562 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE Y.B.BHATT

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1. Whether Reporters of Local Papers may be allowed : YES
to see the judgements?
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge? : NO

JOSHI ENTERPRISE & MUSTUFA SALES AGENCY

Versus

STATE OF GUJARAT

Appearance:

MR KS JHAVERI for Petitioners

Mrs.Siddhi Talati,AGP for respondents Nos. 1,3 & 4.

CORAM : MR.JUSTICE Y.B.BHATT

Date of decision: 27/03/2001

ORAL JUDGEMENT

Heard Mr. Zaveri for the petitioner and Mrs.
Talati, learned AGP for respondents Nos. 1, 3 & 4.

2. As a result of the hearing and discussion learned
counsel for the petitioners states that the substantial
relief sought in the present petition (and also pressed)
is that the representation at Annexure "B" to the
petition requires to be decided by respondent No.2, and

if this is done no grievance would survive in the present petition.

3. Respondent No.2 has not filed any affidavit in the present petition. It would therefore appear that the said representation is still pending.

4. It would therefore be in the interest of justice to direct the respondent No.2 to consider the representation of the petitioner at Annexure "B" to the petition (after hearing the petitioners and the manufacturer of the product) as expeditiously as possible and preferably before the expiry of three months from the date of service of this order. It is accordingly so directed.

5. On the basis of the aforesaid directions learned counsel for the petitioners seeks permission to withdraw the present petitions. Permission granted. Petitions stand disposed of as withdrawn. Rule discharged with no order as to costs. Direct service permitted.

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rmr.